

FIRST REGULAR SESSION

SENATE BILL NO. 313

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCOTT.

Read 1st time January 18, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1161S.011

AN ACT

To repeal sections 700.010, 700.040, 700.045, 700.056, 700.065, 700.070, 700.090, 700.100, 700.115, 700.450, 700.455, 700.460, 700.465, 700.470, and 700.650, RSMo, and to enact in lieu thereof thirteen new sections relating to manufactured homes, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 700.010, 700.040, 700.045, 700.056, 700.065, 700.070, 700.090, 700.100, 700.115, 700.450, 700.455, 700.460, 700.465, 700.470, and 700.650, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 700.010, 700.040, 700.045, 700.056, 700.065, 700.090, 700.095, 700.096, 700.097, 700.098, 700.100, 700.115, and 700.650, to read as follows:

700.010. As used in sections 700.010 to 700.500, for the purpose of sections 700.010 to 700.500, the following terms mean:

(1) "Authorized representative", any person, firm or corporation, or employee thereof, approved or hired by the commission to perform inspection services;

(2) "Code", the standards relating to manufactured homes, or modular units as adopted by the commission. The commission, in its discretion, may incorporate, in whole or in part, the standards codes promulgated by the American National Standards Institute, the United States Department of Housing

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

10 and Urban Development or other recognized agencies or organizations;

11 (3) "Commission", the public service commission;

12 (4) "Dealer", any person, other than a manufacturer, who sells or offers
13 for sale four or more **used homes or one or more new** manufactured homes,
14 or **one or more new** modular units in any consecutive twelve-month period;

15 (5) **"Installer", an individual who is licensed by the commission**
16 **to install manufactured homes, under sections 700.650 to 700.692;**

17 (6) "Manufactured home", a factory-built structure or structures which,
18 in the traveling mode, is eight body feet or more in width or forty body feet or
19 more in length, or, when erected on site, contains three hundred twenty or more
20 square feet, equipped with the necessary service connections and made so as to
21 be readily movable as a unit or units on its or their own running gear and
22 designed to be used as a dwelling unit or units with or without a permanent
23 foundation. The phrase "without a permanent foundation" indicates that the
24 support system is constructed with the intent that the manufactured home placed
25 thereon may be moved from time to time at the convenience of the owner;

26 [(6)] (7) "Manufacturer", any person who manufactures manufactured
27 homes, or modular units, including persons who engage in importing
28 manufactured homes, or modular units for resale;

29 [(7)] (8) "Modular unit", a transportable building unit designed to be
30 used by itself or to be incorporated with similar units at a point-of-use into a
31 modular structure to be used for residential, commercial, educational or
32 industrial purposes. This definition shall not apply to structures under six
33 hundred fifty square feet used temporarily and exclusively for construction site
34 office purposes;

35 [(8)] (9) "New", being sold or offered for sale to the first purchaser for
36 purposes other than resale;

37 [(9)] (10) "Person", an individual, partnership, corporation or other legal
38 entity;

39 [(10)] (11) "Premises", a lot, plot, or parcel of land including the
40 buildings, structures, and manufactured homes thereon;

41 [(11)] (12) "Recreational park trailer", a recreational park trailer as
42 defined in the American National Standards Institute (ANSI) A119.5 Standard
43 on Recreational Park Trailers. A recreational park trailer is not a recreational
44 vehicle;

45 [(12)] (13) "Recreational vehicle", a recreational vehicle as defined in the

46 American National Standards Institute (ANSI) A119.2 Standard on Recreational
47 Vehicles;

48 [(13)] (14) "Seal", a device, label or insignia issued by the public service
49 commission, U.S. Department of Housing and Urban Development, or its agent,
50 to be displayed on the exterior of the manufactured home, or modular unit to
51 evidence compliance with the code;

52 [(14)] (15) "Setup", the operations performed at the occupancy site which
53 renders a manufactured home or modular unit fit for habitation, which operations
54 include, but are not limited to, moving, blocking, leveling, supporting, and
55 assembling multiple or expandable units.

700.040. 1. The commission shall, through its own inspection service or
2 through a public or private inspection service acting as its authorized
3 representative, perform sufficient inspections of manufacturing and dealer
4 premises and manufactured homes and modular units to ensure that the
5 provisions of the code are being observed. The commission shall approve any
6 designation of a public or private inspection service as an authorized
7 representative. The commission shall establish a comprehensive inspection
8 system, including a determination of the extent to which its own inspectors or
9 authorized representatives are used. The inspections may include examination
10 of all books, records, performance and technical data of a manufacturer related
11 to the subject matter of sections 700.010 to 700.115.

12 2. The commission shall establish reasonable fees for seals or inspection,
13 or both, which are sufficient to cover all costs incurred in the administration of
14 sections 700.010 to 700.115. Fees for inspections made by private inspection
15 services may be paid directly to the inspection service. The commission, upon
16 issuing seals, registration certificates, and plan approvals, and conducting
17 inspections provided for in sections 700.010 to 700.115, shall notify the director
18 of revenue, who shall receive the fees and immediately deposit the same in the
19 state treasury to the credit of a fund to be known as the "Manufactured Housing
20 Fund". All salaries and expenses for the implementation of sections 700.010 to
21 700.115 shall be appropriated and paid from such fund. **The commission may**
22 **establish a "Manufactured Housing Recovery Account" within the**
23 **manufactured housing fund. The commission may designate fees within**
24 **the manufactured housing fund to be used to pay approved claims filed**
25 **by consumers. Claims against the manufactured housing recovery**
26 **account shall be approved by the commission and are subject to rules**

27 and regulations promulgated under this chapter. The commission may
28 establish an advisory committee to assist with the evaluation of all
29 claims filed by consumers. The advisory committee members shall be
30 volunteers and serve only in an advisory capacity. Non-commission
31 personnel who may serve on the committee on not eligible for any
32 additional compensation by the commission. Funds in the subaccount
33 are not considered general revenue funds. Any moneys in this fund
34 shall only be used to pay approved claims or may be retained as part
35 of the manufactured housing fund as established in this
36 chapter. Claims may only be considered after all other legal remedies
37 have been exhausted.

38 3. The provisions of section 33.080, RSMo, to the contrary
39 notwithstanding, money in this fund shall not be transferred and placed to the
40 credit of general revenue until the amount in the fund at the end of the biennium
41 exceeds two times the amount of the appropriation from the fund for the
42 preceding fiscal year. The amount, if any, in the fund which shall lapse is that
43 amount in the fund which exceeds the appropriate multiple of the appropriations
44 from the fund for the preceding year.

45 4. The commission may appoint such employees within its department as
46 it may deem necessary for the administration of the provisions of sections 700.010
47 to 700.115.

48 5. The commission may issue and promulgate such rules and regulations
49 as necessary to make effective the code and the provisions of sections 700.010 to
50 700.115. Any rule or portion of a rule, as that term is defined in section 536.010,
51 RSMo, that is promulgated under the authority delegated in sections 700.010 to
52 700.115 shall become effective only if they have been promulgated pursuant to the
53 provisions of chapter 536, RSMo. All rulemaking authority delegated prior to
54 August 28, 1999, is of no force and effect; however, nothing in this section shall
55 be interpreted to repeal or affect the validity of any rule filed or adopted prior to
56 August 28, 1999, if it fully complied with the provisions of chapter 536,
57 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the
58 powers vested with the general assembly pursuant to chapter 536, RSMo, to
59 review, to delay the effective date or to disapprove and annul a rule are
60 subsequently held unconstitutional, then the grant of rulemaking authority and
61 any rule proposed or adopted after August 28, 1999, shall be invalid and void.

62 6. The commission may remove seals from any manufactured home or

63 modular unit made by any manufacturer in violation of the provisions of section
64 700.045.

65 7. Notwithstanding any other provisions of sections 700.010 to 700.115,
66 the commission shall have the authority to enter into any contract or agreement
67 necessary to comply with the statutes and regulations enforced by and under the
68 authority of the United States Department of Housing and Urban Development
69 relating to manufactured homes and modular housing.

70 8. The commission may require manufacturers and dealers to file reports
71 with the Secretary of the United States Department of Housing and Urban
72 Development as may be required under the provisions of the National
73 Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.
74 5401, et seq.).

700.045. It shall be a misdemeanor:

2 (1) For a manufacturer or dealer to manufacture, rent, lease, sell or offer
3 to sell any manufactured home or modular unit after January 1, 1977, unless
4 there is in effect a registration with the commission;

5 (2) To rent, lease, sell or offer to sell any new manufactured home or new
6 modular unit or used modular unit used for educational purposes manufactured
7 after January 1, 1974, which does not bear a seal as required by sections 700.010
8 to 700.115;

9 (3) To affix a seal or cause a seal to be affixed to any manufactured home
10 or modular unit which does not comply with the code;

11 (4) To alter a manufactured home or modular unit in a manner prohibited
12 by the provisions of sections 700.010 to 700.115;

13 (5) To fail to correct within a reasonable time not to exceed ninety days
14 after being ordered to do so in writing by an authorized representative of the
15 commission a code violation in a new manufactured home or new modular unit
16 or used modular unit used for educational purposes owned, manufactured or sold
17 if the same is manufactured after January 1, 1974. **Reasonable and necessary**
18 **extensions may be granted by the commission;** or

19 (6) To interfere with, obstruct, or hinder any authorized representative
20 of the commission in the performance of his or her duties.

700.056. Every dealer of a manufactured home offered for sale in this
2 state shall at the time of sale provide the purchaser with a bill of sale containing
3 at least the following: The total price of the unit, **serial number**, and its
4 contents, **the name or names of the person or persons responsible for the**

5 **installation and setup, including site preparation and waivers,** a list of
6 all furniture and appliances in the manufactured home, any other costs which
7 will be assessed to the purchaser **by the dealer or installer** such as
8 transportation, handling, or such other costs, and the sales tax payable for such
9 manufactured home.

700.065. All manufactured homes located in this state shall be anchored
2 and tied down in accordance with the standards promulgated by the commission
3 pursuant to the provisions of sections 700.010 to 700.115 **and sections 700.650**
4 **to 700.692.**

700.090. 1. Every manufacturer or dealer [of manufactured homes] who
2 sells or offers for sale, on consignment or otherwise, a manufactured home or
3 modular unit from or in the state of Missouri shall register [each location] with
4 the commission **each location at which the manufacturer or dealer sells**
5 **or offers for sale a manufactured home or modular unit.**

6 2. The commission shall issue a certificate of registration to a
7 manufacturer who:

8 (1) Completes and files with the commission an application for
9 registration which contains the following information:

10 (a) The name of the manufacturer;

11 (b) The address of the manufacturer and addresses of each factory owned
12 or operated by the manufacturer, if different from the address of the
13 manufacturer;

14 (c) If a corporation, the state of original incorporation, a list of the names
15 and addresses of all officers and directors of the corporation, and proof of the
16 filing of all franchise and sales tax forms required by Missouri law;

17 (d) If not a corporation, the name and address of the managing person or
18 persons responsible for overall operation of the manufacturer;

19 (2) Files with the commission an initial registration fee of seven hundred
20 fifty dollars in the form of a cashier's check or money order made payable to the
21 state of Missouri.

22 3. The commission shall issue a certificate of registration to a dealer who:

23 (1) Completes and files with the commission an application for
24 registration which contains the following information:

25 (a) The name of the dealer;

26 (b) The business address of the dealer and addresses of each separate
27 facility owned and operated by the dealer from which manufactured homes or

28 modular units are offered for sale if different from the business address of the
29 dealer;

30 (c) If a corporation, the state of original incorporation, a list of the names
31 and addresses of all officers and directors of the corporation, proof of the filing of
32 all franchise and sales tax forms required by Missouri law;

33 (d) If not a corporation, the name and address of the managing person or
34 persons responsible for the overall operations of the manufacturer;

35 (2) Files with the commission an initial registration fee of two hundred
36 dollars in the form of a cashier's check or money order made payable to the state
37 of Missouri;

38 (3) Files with the commission proof of compliance with the provisions of
39 section 301.280, RSMo.

40 4. The registration of any manufacturer or dealer shall be effective for a
41 period of one year and shall be renewed by the commission upon receipt by it
42 from the registered dealer of a renewal fee of seven hundred fifty dollars for
43 manufacturers and two hundred dollars for dealers and a form provided by the
44 commission upon which shall be placed any changes from the information
45 requested on the initial registration form.

46 5. The commission may stagger the renewal of certificates of registration
47 to provide for more equal distribution over the twelve months of the number of
48 registration renewals.

700.095. 1. Every dealer shall, on or before January fifteenth of
2 each year, make application for registration or renewal, and shall be
3 required to maintain a bona fide established place of business and shall
4 maintain a permanent enclosed building or structure, either owned in
5 fee or leased and actually occupied as a place of business by the
6 applicant for the selling, bartering, trading, or exchanging of
7 manufactured homes or modular units, where the public may contact
8 the owner or operator at any reasonable time and where the books,
9 records, files, and other matters required and necessary to conduct the
10 business shall be kept and maintained.

11 2. The application shall contain the business address, not a post-
12 office box address, and telephone number of the place where the books,
13 records, files, and other matters required and necessary to conduct the
14 business are located and where the same may be inspected during
15 normal daytime business hours.

16 3. Each application shall contain such additional information as
17 may be required by the commission to enable it to determine whether
18 the applicant is a bona fide dealer in fact and is of good moral
19 character.

20 4. On the payment of a registration or renewal fee of two
21 hundred dollars, there shall be assigned to each dealer a certificate of
22 registration in such form as the commission shall prescribe.

 700.096. 1. Each person registered as a dealer under the
2 provisions of sections 700.010 to 700.115 shall file monthly reports with
3 the commission, which reports shall be in the form and manner and
4 contain the information required by the commission by rules
5 promulgated under chapter 536, RSMo, and shall permit an employee
6 of the commission or any law enforcement official to inspect, during
7 normal business hours, any of the following documents which are in his
8 or her possession or under his or her custody or control:

- 9 (1) Any title to any manufactured home or modular unit;
10 (2) Any application for title to any manufactured home or
11 modular unit;
12 (3) Any affidavit provided under chapter 301 or 407, RSMo;
13 (4) Any assignment of title to any manufactured home or modular
14 unit;
15 (5) Any disclosure statement or other document required by the
16 laws of the United States or any other state.

17 2. For purposes of this section, the term "law enforcement
18 official" means any of the following:

- 19 (1) Attorney general, or any person designated by him or her to
20 make such an inspection;
21 (2) Any prosecuting attorney or any person designated by a
22 prosecuting attorney to make such an inspection;
23 (3) Any member of the highway patrol;
24 (4) Any sheriff or deputy sheriff;
25 (5) Any peace officer certified under chapter 590, RSMo, acting
26 in his or her official capacity.

 700.097. No insurance company, finance company, bank or trust
2 company shall be required to register with the commission in order to
3 sell any manufactured home or modular unit repossessed or purchased
4 by the company on the basis of total destruction or theft thereof when

5 the sale of the manufactured home or modular unit is in conformance
6 with applicable title and registration laws of this state.

700.098. 1. The commission may refuse to register an applicant
2 as a dealer, or may suspend the registration of an existing dealer from
3 one day to thirty days, or revoke the registration of a dealer, after a
4 written notice and a hearing when the commission is satisfied that the
5 applicant or dealer has failed to comply with the provisions set out in
6 sections 700.010 to 700.115. Notification of unfavorable action by the
7 commission on any application for registration or renewal of
8 registration must be accompanied by a notice informing the recipient
9 that the decision of the director may be appealed as provided in
10 chapter 386, RSMo.

11 2. It shall be unlawful for any person to hold forth or act as a
12 dealer who is not currently registered as a dealer by the commission as
13 required by sections 700.010 to 700.115.

700.100. 1. The commission may refuse to register or refuse to renew the
2 registration of any person who fails to comply with the provisions of [section
3 700.090 or this section] sections 700.010 to 700.115 or sections 700.650 to
4 700.692. Notification of unfavorable action by the commission on any application
5 for registration or renewal of registration must be delivered to the applicant
6 within thirty days from date it is received by the commission. Notification of
7 unfavorable action by the commission on any application for registration or
8 renewal of registration must be accompanied by a notice informing the recipient
9 that the decision of the commission may be appealed as provided in chapter 386,
10 RSMo.

11 2. The commission may consider a complaint filed with it charging a
12 registered manufacturer or dealer with a violation of the provisions of this
13 section, which charges, if proven, shall constitute grounds for revocation or
14 suspension of his registration, or the placing of the registered manufacturer or
15 dealer on probation.

16 3. The following specifications shall constitute grounds for the suspension,
17 revocation or placing on probation of a manufacturer's or dealer's registration:

- 18 (1) If required, failure to comply with the provisions of section 301.280,
19 RSMo;
20 (2) Failing to be in compliance with the provisions of section 700.090;
21 (3) If a corporation, failing to file all franchise or sales tax forms required

22 by Missouri law;

23 (4) Engaging in any conduct which constitutes a violation of the provisions
24 of section 407.020, RSMo;

25 (5) Failing to comply with the provisions of Sections 2301-2312 of Title 15
26 of the United States Code (Magnuson-Moss Warranty Act);

27 (6) As a dealer, failing to arrange for the proper initial setup of any new
28 manufactured home or modular unit sold from or in the state of Missouri, [unless
29 the dealer receives a written waiver of that service from the purchaser or his or
30 her authorized agent] **as allowed under subsection 5 of section 700.656;**

31 (7) Requiring any person to purchase any type of insurance from that
32 manufacturer or dealer as a condition to his being sold any manufactured home
33 or modular unit;

34 (8) Requiring any person to arrange financing or utilize the services of
35 any particular financing service as a condition to his being sold any manufactured
36 home or modular unit; provided, however, the registered manufacturer or dealer
37 may reserve the right to establish reasonable conditions for the approval of any
38 financing source;

39 (9) Engaging in conduct in violation of section 700.045;

40 (10) Failing to comply with the provisions of section 301.210, RSMo;

41 (11) Failing to pay all necessary fees and assessments authorized
42 pursuant to sections 700.010 to 700.115.

43 **4. The commission may order that any suspension, revocation, or**
44 **probation ordered under subsection 3 of this section shall apply to all**
45 **manufacturer's or dealer's registrations that are held by the same**
46 **manufacturer or dealer or that are owned or controlled by the same**
47 **person or persons and if a continued and consistent pattern of the**
48 **violations have been identified by the commission to be present with**
49 **each licensee under the same control or ownership.**

700.115. 1. Except as otherwise provided in subsections 2 and 3 of this
2 section, a violation of the provisions of sections 700.010 to 700.115 shall
3 constitute a violation of the provisions of section 407.020, RSMo. In addition to
4 the authority vested in the attorney general to enforce the provisions of that
5 section, he may petition the court and the court may enter an order revoking the
6 registration certificate of the defendant or defendants issued pursuant to the
7 provisions of section 700.090.

8 2. Notwithstanding any provisions of subsection 1 of this section to the

9 contrary, whoever violates any provision of this chapter shall be liable to the
10 state of Missouri for a civil penalty in an amount which shall not exceed one
11 thousand dollars for each such violation. **If, after a hearing, the commission**
12 **finds that person has violated any provision of this chapter, it shall**
13 **direct its general counsel to enforce the provisions of this subsection**
14 **by filing a petition in circuit court for such civil penalties.** Each
15 violation of this chapter shall constitute a separate violation with respect to each
16 manufactured home or **modular unit** or with respect to each failure or refusal
17 to allow or perform an act required by this chapter; except that, the maximum
18 civil penalty may not exceed one million dollars for any related series of
19 violations occurring within one year from the date of the first violation.

20 3. Any individual or director, officer, or agent of a corporation who
21 knowingly and willfully violates any provision of sections 700.010 to 700.115, in
22 a manner which threatens the health or safety of any purchaser, shall, upon
23 conviction therefor, be fined not more than one thousand dollars or imprisoned
24 for not more than one year, or both.

700.650. 1. Sections 700.650 to 700.692 shall be known and may be cited
2 as the "Manufactured Home Installation Act".

3 2. For the purposes of sections 700.650 to 700.692, the following terms
4 shall mean:

5 (1) "Applicant", a person who applies to the commission for a license or
6 limited-use license to install manufactured homes;

7 (2) "Commission", the Missouri public service commission;

8 (3) "Dealer", any person, other than a manufacturer, who sells or offers
9 for sale four or more **used homes or one or more new** manufactured homes,
10 **or one or more new modular units** in any consecutive twelve-month period;

11 (4) "Installation", work undertaken at the place of occupancy to ensure the
12 proper initial setup of a manufactured home which shall include the joining of all
13 sections of the home, installation of stabilization, support, and leveling systems,
14 assembly of multiple or expanded units, and installation of applicable utility
15 hookups and anchoring systems that render the home fit for habitation;

16 (5) "Installation standards", reasonable specifications for the installation
17 of a manufactured home;

18 (6) "Installer", an individual who is licensed by the commission to install
19 manufactured homes, pursuant to sections 700.650 to [700.680] **700.692**;

20 (7) "Manufactured home", a manufactured home as that term is defined

21 in subdivision (5) of section 700.010;

22 (8) "Manufacturer", any person who manufactures manufactured homes,
23 including persons who engage in importing manufactured homes for resale; and

24 (9) "Person", an individual, partnership, corporation, or other legal entity.

[700.070. Effective November 27, 1973, all purchasers of
2 manufactured homes shall, within thirty days from the date of
3 occupancy, anchor and secure the manufactured home in
4 accordance with the standards promulgated by the commission
5 pursuant to the provisions of sections 700.010 to 700.115.]

[700.450. As used in sections 700.450 to 700.470, the
2 following terms shall mean:

3 (1) "Commission", the public service commission;

4 (2) "Dealer", any person, including, but not limited to, real
5 estate brokers and salespersons, other than a manufacturer, who
6 sells or offers for sale four or more manufactured homes in any
7 consecutive twelve-month period;

8 (3) "Manufactured home", a factory-built structure or
9 structures which, in the traveling mode, is eight body feet or more
10 in width or forty body feet or more in length, or, when erected on
11 site, contains three hundred twenty or more square feet, equipped
12 with the necessary service connections and made so as to be readily
13 movable as a unit or units on its or their own running gear and
14 designed to be used as a dwelling unit or units with or without a
15 permanent foundation. The phrase "without a permanent
16 foundation" indicates that the support system is constructed with
17 the intent that the manufactured home placed thereon may be
18 moved from time to time at the convenience of the owner;

19 (4) "Manufacturer", any person who manufactures
20 manufactured homes, including persons who engage in importing
21 manufactured homes for resale;

22 (5) "Person", any individual, partnership, corporation or
23 other legal entity.]

[700.455. 1. Every dealer shall, on or before January
2 fifteenth of each year, instead of registering each manufactured
3 home dealt in, make a verified application, upon a blank for such
4 purpose to be furnished by the commission, for a distinctive

number for all the manufactured homes dealt in or controlled by such dealer. The application shall contain, but need not be limited to:

(1) When the applicant is a partnership, the name and address of each partner, or, when the applicant is a corporation, the names of the principal officers of the corporation and the state in which it is incorporated. The application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer;

(2) A bona fide established place of business shall be required for every dealer. A bona fide established place of business for any dealer shall include a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading or exchanging of manufactured homes, where the public may contact the owner or operator at any reasonable time and where the books, records, files and other matters required and necessary to conduct the business shall be kept and maintained.

2. The application shall contain the business address, not a post-office box, and telephone number of the place where the books, records, files and other matters required and necessary to conduct the business are located and where the same may be inspected during normal daytime business hours.

3. Each application shall contain such additional information as may be required by the commission to enable it to determine whether the applicant is a bona fide dealer in fact and is of good moral character.

4. On the payment of a registration fee of fifty dollars there shall be assigned to each dealer a certificate of registration in such form as the commission shall prescribe.]

[700.460. 1. Each person registered as a dealer pursuant to the provisions of sections 700.450 to 700.470 shall file monthly reports with the commission, which reports shall be in the form and manner and contain the information required by the commission by rules promulgated pursuant to chapter 536, RSMo,

6 and shall permit an employee of the commission or any law
7 enforcement official to inspect, during normal business hours, any
8 of the following documents which are in his possession or under his
9 custody or control:

- 10 (1) Any title to any manufactured home;
- 11 (2) Any application for title to any manufactured home;
- 12 (3) Any affidavit provided pursuant to chapter 301 or 407,
13 RSMo;
- 14 (4) Any assignment of title to any manufactured home;
- 15 (5) Any disclosure statement or other document required by
16 the laws of the United States or any other state.

17 2. For purposes of this section, the term "law enforcement
18 official" shall mean any of the following:

- 19 (1) Attorney general, or any person designated by him to
20 make such an inspection;
- 21 (2) Any prosecuting attorney or any person designated by
22 a prosecuting attorney to make such an inspection;
- 23 (3) Any member of the highway patrol;
- 24 (4) Any sheriff or deputy sheriff;
- 25 (5) Any peace officer certified pursuant to chapter 590,
26 RSMo, acting in his official capacity.]

[700.465. No insurance company, finance company, bank or
2 trust company shall be required to register with the commission in
3 order to sell any manufactured home repossessed or purchased by
4 the company on the basis of total destruction or theft thereof when
5 the sale of the manufactured home is in conformance with
6 applicable title and registration laws of this state.]

[700.470. 1. The commission may refuse to register an
2 applicant as a dealer, or may suspend the registration of an
3 existing dealer from one day to thirty days, or revoke the
4 registration of a dealer, after a written notice and a hearing when
5 he is satisfied that the applicant or dealer has failed to comply
6 with the provisions set out in sections 700.450 to
7 700.470. Notification of unfavorable action by the commission on
8 any application for registration or renewal of registration must be
9 accompanied by a notice informing the recipient that the decision

10 of the director may be appealed as provided in chapter 536, RSMo.
11 2. It shall be unlawful for any person to hold forth or act as
12 a dealer who is not currently registered as a dealer by the
13 commission as required by sections 700.450 to 700.470.]

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